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296139

CONFIDENTIAL

May 28, 1987

Mr. Richard E. Bartelt, Chief
Emergency and Remedial Response Branch
U.S. EPA Region 5
230 South Dearborn Street
Chicago, Illinois 60604

Re: Birmingham Bolt Company, Inc.
0910150004-Bourbonnais, Kankakee County, Illinois
FOI Request No. RIN 465-87

Dear Mr. Bartelt:

Thank you for your reply to my request under the Freedom of Information Act.

Review of the material you sent indicates that the recent request by Ecology & Environment, Inc., for access to conduct drilling and tests was prompted by the Potential Hazardous Waste Site Preliminary Assessment filed by Mr. Kenneth Page of IEPA on April 17, 1986, which states that "The possibility of on-site burial is very high....A medium priority is assigned and an inspection should be done to ensure compliance." We are surprised and concerned to learn of this assessment, because it appears to be based on several inaccurate and misleading statements concerning our Bourbonnais plant, which we detail below:

1. In Parts 2-II and 2-III, it is stated that the facility generates 100,000 tons of waste per year. However, this is a number more akin to the approximate total production of rounds and rebars at the plant. Our actual output of baghouse dust was 232 tons in 1985 and 516 tons in 1986.
2. References in Part 2-IV to a "Burial-Trench" and Part 3-II, to a "complete closure plan" and, in Part 3-IV to "Closed a(nd) covered properly" and in the Executive Summary, to "a complete closure," imply that the K061 waste generated between 1981 and 1984 is presently buried on-site. However the fact is that the cells where this waste was formerly stored have been subjected to a clean closure in which all waste and contaminated soil was removed from the site. Proper completion of the approved closure plan was certified by IEPA on March 25, 1986.

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3. The Executive Summary includes the following:

Birmingham Bolt Purchased this property from Kankakee Steel in 1981. A manifest file search was conducted and Kankakee Steel did not ship any of their baghouse dust (K061) off-site. The possibility of on-site burial is very high.

This is an unjustified conclusion based on inaccurate information. The facts are that Illinois Birmingham Bolt Company, purchased the inactive Bourbonnais steel making plant building and machinery from the creditors of Jones & McKnight Corp. on August 1, 1977 and started production in the winter of 1977, using the name Illinois Birmingham Bolt Company. Jones & McKnight Corp. had purchased the plant in the mid-1970's from another firm.

To the best of our present knowledge, both Jones & McKnight Corp. and the previous owners disposed of their baghouse dust off-site through a commercial service. Illinois Birmingham Bolt Company disposed of baghouse dust off-site from the commencement of its operations until baghouse dust became a regulated waste under the RCRA program. Illinois Birmingham Bolt Company then immediately created a temporary waste storage pile which has since been removed in accordance with a clean closure plan submitted to and approved by IEPA, as mentioned above.

Birmingham Bolt Company, Inc. now owns the Bourbonnais plant.

In view of this history, it should not be expected that any manifests would be found for the wastes shipped off-site prior to 1981, because manifests were not required and if any such manifests do exist, they would not be in the name of "Kankakee Steel".

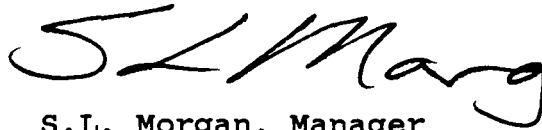
We at Birmingham Bolt Company, Inc. are committed to an open and compliance-oriented relationship with EPA, but we also realize that misleading information can cause the unnecessary expenditure of efforts and funds on the part of both EPA and Birmingham Bolt Company, Inc.

Since we now understand that the action suggested by IEPA is based upon erroneous information, we are herein stating that we vigorously oppose any site inspection based on erroneous or misleading information.

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Also, since the information supplied to you by IEPA and forming the basis for their assessment of need for an inspection is based upon erroneous information, we are hereby requesting a meeting, at your convenience, with you or your representative, to discuss these items with you personally, review the history of the operation and correct this erroneous information, thereby eliminating the need for the inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "S.L. Morgan", followed by a long horizontal line extending to the right.

S.L. Morgan, Manager
Environmental Systems

cc: Kenneth L. Page, IEPA
Macbeth Wagnon Jr., Esq.
Jim Speakman, ENSAFE
Cynthia Pugh, Ecology & Environment, Inc.